

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 13: Residential and Licensed Child Placing Agency (LCPA) Licensing	Effective Date: TBD
	Section X: Background Checks for Licensed Child Placing Agency Licensing, DCS Licensed Residential Facilities and DCS Contractors	Version: 1

POLICY [NEW]	OLD POLICY: N/A
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- The Indiana Department of Child Services (DCS) will require a Background Check on the following individuals:
 - Each applicant for a license.
 - Administrators and directors of facilities where children will be placed.
 - Employees and volunteer who will have direct contact on a regular and continuing basis with children supervised by the applicant or facility.
 - Employees and volunteer of all DCS contractors who will have direct contact on a regular and continuing basis with children supervised DCS.
- Background check will consist of the following criminal (or juvenile) and civil history checks:
 1. Fingerprint-based National Criminal History (includes Indiana State Juvenile History)
 2. Indiana State Limited Criminal History
 3. Sex and Violent Offender Registry
 4. Child Protective Services History
 5. Local Police/Sheriff Records
- DCS will maintain confidentiality of all information gained during the background check process, following all applicable state and federal laws as outlined in separate policy, [2.X Confidentiality of Background Check Data](#).
- Each LCPA ,DCS licensed Residential Facility and DCS Contractor is required to maintain records of all information received concerning background checks..
- DCS will require each applicant or provider to pay the processing fee for fingerprinting of all required individuals.
- Each applicant/manager/director/employee/volunteer/contractors for whom background checks are required must have a current job description which indicates that the individual has direct contact on a regular and continuing basis with children supervised by the agency or that the individual has contact with, care of, or supervision over a person less than eighteen (18) years of age.
- DCS will require each applicant/manager/director/employee/volunteer/contractors to complete the background check process:
 - At the initial licensing application
 - At the beginning of contract.
 - Prior to beginning employment or serving as a volunteer who will have direct contact on a regular and continuing basis with children supervised by the agency.
 - Every four years at relicensure
 - At contract renewal.

DCS will require the applicant to notify the licensing worker with 24 hours, if the applicant/manager/director/employee/volunteer has a arrest, conviction or pending criminal charges.

Code References

[31-27-3-3 Applying for a Child Caring Institution License](#)

[31-27-3-5 Denial of a Child Caring Institution License](#)

[31-27-5-4 Applying for a Group Home License](#)

[31-27-5-6 Denial of a Group Home License](#)

[31-27-6-2 Applying for a Child Placing Agency License](#)

[31-27-6-3 Denial of a Child Placing Agency License](#)

PROCEDURE

Prior to submitting the licensing application the applicant will:

1. Complete a background check on the applicant and each administrator and director of the agency. [See Background Checks for Licensed Child Placing Agency Licensing, DCS Licensed Residential Facilities and DCS Contractors, Employee/Volunteer Form For LCPA/Residential Licensing/Employment/Volunteers/Contractors Background Checks](#)
2. Verify the identity of all employees and volunteers, by reviewing any available valid, government-issued identification documents; i.e., social security cards, birth certificates, photo identification cards, and driver licenses. See separate policy, [2.X Verifying Identity](#), for additional information.
3. Provide the DCS background check unit the names of each employee and volunteer who will have direct contact on a regular and continuing basis with children supervised by the agency.

DCS Background Check Unit will process the following checks for each applicant/director/administrator:

1. Fingerprint-based National Criminal History (includes Indiana State Juvenile History)
2. Indiana State Limited Criminal History
3. Sex and Violent Offender Registry
4. Child Protective Services History
5. Local Police/Sheriff Records

Prior to submitting the application for licensure or contract for signature the applicant/contractor will:

1. Ensure that each employee and volunteer who will have direct contact on a regular and continuing basis with children supervised by the agency is fingerprinted. [See Background Checks for Licensed Child Placing Agency Licensing, DCS Licensed Residential Facilities and DCS Contractors, Employee/Volunteer Form For LCPA/Residential Licensing/Employment/Volunteers/Contractors Background Checks.](#)
2. Process and evaluate the following components of the background checks on all employees and volunteers. See separate document, [2.X Tool: Background Checks](#) for details on completing each check:
 - a. Indiana Limited Criminal History check
 - b. A Sex and Violent Offender Registry check for Indiana and for every state where the individual is known to have resided for the past 10 years
 - c. Check all employees or volunteers, for previous Child Protective Services (CPS) history in every and evaluate. See separate policy, [13.X Denials of](#)

[Residential Licenses](#). Note: Only DCS staff have the ability to access this check, therefore, they will submit a request to the local DCS office to run the check using the form [Request for a CPS Abuse and Neglect Check](#). See [Residential Facilities Background Check Tool](#).

- d. Complete a search of CPS records for **all other states** in which each individual is known to have resided for the past 5 years.
- e. Search Local Police/Sheriff records for every county/state the individual is known to have resided in for the past 5 years

The DCS central office background checks worker in conjunction with the Central Office Residential Licensing Unit will:

1. Send the employer a memo for each employee/volunteer for whom a national criminal history check is completed, using one of the following statements:
 - a. "DCS has received the Fingerprint-Based National Criminal History regarding [name of prospective employee/volunteer], [date of birth]. The results indicate that [name] does **not** have criminal and/or civil history that would disqualify this individual from being employed or volunteering with your agency." **OR**
 - b. "DCS has received the Fingerprint-Based National Criminal History regarding [name of subject], born [date of birth]. The results indicate that [name] **does** have criminal history that based on DCS policy **disqualifies** this individual from being employed or volunteering with your agency. The subject of the check may contact Central Office Residential Licensing Unit for additional information.

PRACTICE GUIDANCE

FORMS AND TOOLS

Forms

- [Information Concerning Background Checks for Foster/Adoptive Households](#)
- [Primary Applicant Form \(For Foster, Adoptive Background Check](#)
- [Additional Foster/Adoption Applicant](#)
- [Tracking National Criminal History and Juvenile History Reports](#)
- [Request for a CPS Abuse and Neglect Check](#)

Tools

- [2.X Tool: Fingerprinting](#)
- [2.X Tool: Background Checks](#)

RELATED INFORMATION

Fingerprinting and National Criminal History (and Indiana State Juvenile History) Reports

For all issues regarding fingerprinting (preparing for fingerprinting, where to go to get fingerprinted, processing of fingerprint cards, ordering blank fingerprint cards, etc.), see separate document, [2.X Tool: Fingerprinting](#)

All Other Background Check Reports

For helpful information regarding all other background checks (Indiana State Limited Criminal History, CPS history, etc.) see separate document, [13.X Tool: Background Checks](#).